

UNITED STATES DISTRICT COURT  
for the

CLERK'S OFFICE U.S. DIST. COURT  
AT LYNCHBURG, VA  
FILED

for O'Ville  
MAY 06 2008

Western District of Virginia

United States of America )  
v. )  
ANTHONY JERMAINE WASHINGTON )  
Date of Previous Judgment: September 9, 2005 )  
(Use Date of Last Amended Judgment if Applicable) )

) Case No: 4:03cr70134-009  
USM No: 11292-084  
Defendant's Attorney

JOHN F. CORCORAN, CLERK  
BY: *J. Corcoran*  
DEPUTY CLERK

**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of  the defendant  the Director of the Bureau of Prisons  the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

DENIED.  GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 84 months is reduced to 67 months.

**I. COURT DETERMINATION OF GUIDELINE RANGE** (Prior to Any Departures)

Previous Offense Level: 27 Amended Offense Level: 25  
Criminal History Category: II Criminal History Category: II  
Previous Guideline Range: 78 to 97 months Amended Guideline Range: 63 to 78 months

**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

The reduced sentence is within the amended guideline range.  
 The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.  
 Other (explain):

**III. ADDITIONAL COMMENTS**

The Government has objected to a reduction based on aspects of Defendant's pre- and post-sentencing conduct. Finding that the pre-sentencing conduct is adequately accounted for under the amended guideline range and that the post-sentencing conduct is adequately addressed by Bureau of Prisons procedures, and upon consideration of the factors set forth in 18 U.S.C. § 3553(a) and U.S.S.G. § 1B1.10, the Government's objections are overruled and Defendant's sentence is reduced as provided above.

Except as provided above, all provisions of the judgment dated 9/9/2005 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: May 6, 2008

*Norman K. Moon*  
Judge's signature

Effective Date: May 16, 2008  
(if different from order date)

Norman K. Moon, United States District Judge  
Printed name and title